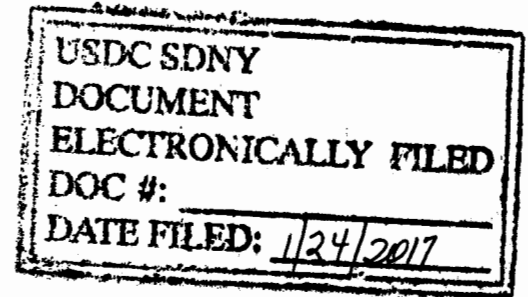


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
-
CESAR ALMANZAR, FELIX CORPORAN,
JUAN DE LA CRUZ, JUANERIS DE LA CRUZ,
JUAN DIAZ, JORGE DONE,
VALENTIN MENALDO, JUAN OGANDO,
MARCUS REYES, and WILSON ROSSIS,
individually, on behalf of all others similarly
situated, and as Class Representatives,

14 Civ. 1810 (SHS)

ORDER OF DISCONTINUANCE

Plaintiffs,

- against -

C & I ASSOCIATES, INC.,
C & I TELECOMMUNICATIONS, INC.,
WILLIAM GIANNINI, NELSON IZQUIERDO,

and ANDROKE POLONIO,

Defendants.

----- X
-
WHEREAS, on December 20, 2016, this Court determined that the parties' Settlement Agreement and Release (Dkt. No. 166-1), as modified by the parties' side-letter agreement of September 20, 2016 (Dkt. No. 166-2), including the award of attorneys' fees, was fair and reasonable pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015) (Dkt. No. 170, hereinafter the "12/20/16 Order");

WHEREAS, pursuant to the 12/20/16 Order, defendants' counsel filed copies of the Settlement Agreement and Release containing all defendants' signatures (Dkt. No. 171);

WHEREAS, pursuant to the 12/20/16 Order, plaintiffs' counsel undertook duly diligent efforts to contact the twelve opt-in plaintiffs who had not signed the Settlement Agreement and Release, informing them that they would receive no money and their claims would be dismissed with prejudice unless they

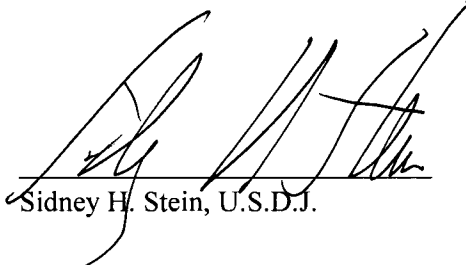
signed the Settlement Agreement and Release by the close of business on January 19, 2017, which efforts are set forth in the affidavit of Elisa Medina sworn to January 20, 2017 (Doc. No. 177);

WHEREAS, Alcides Matos, Juan Mindi-Soto, Juan Ramon Alejandro Guerrero, John Bennett, Jorge Corporan, Wilkin A. Corporan, Wilson Espinosa, Sergio Garcia, Yordy M. Hernandez, Noe Oscar Paulino, Jose M. Rodriguez, Michael Alberto Rodriguez and Ernest Torres failed and/or refused to sign the Settlement Agreement and Release;

NOW, THEREFORE, it is ORDERED, ADJUDGED and DECREED that:

1. The wage-hour claims asserted in this lawsuit by or on behalf of Alcides Matos, Juan Mindi-Soto, Juan Ramon Alejandro Guerrero, John Bennett, Jorge Corporan, Wilkin A. Corporan, Wilson Espinosa, Sergio Garcia, Yordy M. Hernandez, Noe Oscar Paulino, Jose M. Rodriguez, Michael Alberto Rodriguez and Ernest Torres are hereby dismissed with prejudice;
2. The parties are directed to consummate the Settlement Agreement and Release with respect to the remaining plaintiffs and opt-in plaintiffs;
3. This Court will retain jurisdiction of the action for the purpose of ~~monitoring and~~ enforcing compliance with the Settlement Agreement and Release; and SHS
4. ~~Subject to the retention of jurisdiction for that limited purpose,~~ the Clerk of the Court is directed to close this case. SHS

Dated: New York, New York
January 24, 2017



Sidney H. Stein, U.S.D.J.